

unprecedented increase in meal service during the fourth quarter, resulting in a 1.18 percent increase over the number of meals served in Fiscal Year 1993, the highest annual increase in the program since 1989. The Department monitors meal service on a monthly basis by comparing data from each month of the current fiscal year to the corresponding month in the previous fiscal year. However, the increase experienced in the fourth quarter was unpredictable given that, as in past years, there has been no discernible pattern from month to month during the fiscal year.

Final Fiscal Year 1994 meal counts exceeded Departmental projections by little more than one-half of one percent. However, this marginal unanticipated program growth necessitated a retroactive per-meal rate reduction since the program appropriation was consequently insufficient to support all meals served at the initially announced level. Therefore, the Department announces a reduced Fiscal Year 1994 per-meal reimbursement rate of \$.6057. This final rate applies to all eligible meals served during Fiscal Year 1994 and claimed in a timely manner. The Department anticipates that a minimal amount of funds will remain unspent after close-out for the fiscal year has been completed. In accordance with the mandate of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Act of 1993, these funds will be carried over into Fiscal Year 1995 and expended in per-meal reimbursement for that year.

#### *Fiscal Year 1995 Initial Level of Assistance*

In the absence of overriding appropriations legislation such as was enacted for Fiscal Year 1994, the Department will for Fiscal Year 1995 be operating under the Older Americans Act of 1965, as amended. In Fiscal Year 1995, a situation exists similar to that at the beginning of Fiscal Years 1993 and 1994, i.e., the Fiscal Year 1995 appropriation will not sustain reimbursement at the mandated annually adjusted rate.

It is the Department's goal to establish the highest rate that can be sustained throughout the fiscal year so as to maximize the flow of program funds to States. Program operators would prefer to receive their per-meal support steadily throughout the year, rather than to operate at a lower rate during the year and receive a compensatory payment in connection with a rate increase after the year has ended. However, the Department wants also to minimize the possibility of a rate reduction and the

hardship that it could cause program operators. In order to guard against the need for a reduction, the Department has projected continued significant growth in the number of meals that will be served in Fiscal Year 1995. Based on such projections, the Department announces an initial per-meal support level of \$.60.

If this initial rate does not exhaust available funds per the mandate by the Older Americans Act of 1965, as amended, the rate will be increased to achieve compliance with this requirement. However, in the unlikely event that the number of meals served exceeds the Department's projection of significantly expanded participation, it will be necessary to reduce the rate. In either event, the rate will experience two adjustments: an intermediate and final per-meal level of support. The intermediate rate, based on final meal counts and available funds, will be announced in January 1996. A final rate exhausting any unspent funds, which are anticipated to be minimal, will be announced in March 1996 after close-out for the fiscal year has been completed. States will be notified directly of changes in the Fiscal Year 1995 rate.

Dated: January 27, 1995.

**George A. Braley,**

*Acting Administrator.*

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#### **Forest Service**

##### **Bull Lake Easement; Kootenai National Forest, Lincoln County, Montana**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; intent to prepare environmental impact statement.

**SUMMARY:** The USDA, Forest Service, will prepare an environmental impact statement (EIS) to disclose the environmental effects of the granting of a road easement and of road reconstruction needed to access a subdivision in the vicinity of Bull Lake. The area is located in the Kootenai National Forest, Three Rivers Ranger District, Lincoln County, Montana.

The proposal's actions to grant an easement to Lincoln County, Montana for a county easement over portions of roads #398 and #8019, and to reconstruct these roads to county standards, for public access to a subdivision of land located in Section 29, T29N, R33W, Principle Meridian, Montana, are being considered together because they represent either connected or cumulative actions as defined by the

Council on Environmental Quality (40 CFR 1508.25). This project-level EIS will tier to the Kootenai National Forest Land and Resource Management Plan (Forest Plan) and Final EIS (September 1987), which provides overall guidance of all land management activities on the Kootenai National Forest, including road management.

**DATES:** Written comments and suggestions should be received on or before March 20, 1995.

**ADDRESSES:** Submit written comments and suggestions on the proposed management activities or a request to be placed on the project mailing list to Michael L. Balboni, District Ranger, Three Rivers Ranger District, Kootenai National Forest, 1437 N. Hwy 2, Troy, Montana, 59935.

#### **FOR FURTHER INFORMATION CONTACT:**

Mark Natale, EIS Team Leader, Three Rivers Ranger District, Kootenai National Forest, Phone (406) 295-4693.

**SUPPLEMENTARY INFORMATION:** A county easement is proposed on approximately 1.0 mile of road #398 and 2.0 miles of road #8019 to access a subdivision on private land that has received conditional approval from the county. If approved, the road would then be reconstructed to meet county standards.

The Kootenai Forest Plan provides guidance for management activities within the potentially affected area through its goals, objectives, standards and guidelines, and management area direction. The area of the proposed easement would occur within Management Areas 6 and 11. Road reconstruction would occur in these two management areas. Below is a brief description of the applicable management direction.

Management Area 6—These are recreational areas (campgrounds, boat ramps, picnic areas, etc.). There is no restriction on easements within this management area.

Management Area 11—These are areas of big game winter range that allow for easements while including provisions for scheduling to prevent conflicts during periods of wildlife use.

The Forest Service has identified two alternatives. These are: (1) The "no action" alternative, in which the easement would not be granted and (2) to issue the requested easement.

The EIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on both private and National Forest lands will be considered. The EIS will disclose the analysis of site-specific mitigation measures and their effectiveness.

Public participation is an important part of the analysis, commencing with the initial scoping process (40 CFR 1501.7), which will occur in the period February/March 1995. In addition, the public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. A public meeting will be held late February or early March 1995 in Troy, Montana.

Comments from the public and other agencies will be used in preparation of the Draft EIS. The scoping process will be used to:

1. Identify potential issues.
2. Identify major issues to be analyzed in depth.
3. Eliminate minor issues or those which have been covered by a relevant previous environmental analysis, such as the Kootenai Forest Plan EIS.
4. Identify alternatives to the proposed action.
5. Identify potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects).
6. Determine potential cooperating agencies and task assignments.

Some public comments have already been received. The following preliminary issues have been identified so far:

1. How may proposed road reconstruction and subdivision of the private land affect the water quality in Bull Lake?
2. How will the proposed road construction and subdivision affect threatened, endangered and sensitive species in the area?
3. How may the proposed road construction affect big game winter range use?

Other issues commonly associated with such activities include: effects on cultural resources, soils, old growth, and scenery values. This list may be verified, expanded, or modified based on public scoping for this proposal.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in September of 1995. At that time, the EPA will publish a Notice of Availability of the Draft EIS in the **Federal Register**. The comment period on the Draft EIS will be 45 days from the date the EPA's notice of availability appears in the **Federal Register**. It is very important that those interested in

management of this area participate at that time. To be most helpful, comments on the Draft EIS should be as site-specific as possible. The Final EIS is scheduled to be completed by January 1996.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day scoping comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in developing issues and alternatives.

To assist the Forest Service in identifying and considering issues on the proposed action, comments should be as specific as possible. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

I have the final authority for issuing a decision regarding this proposal. I have delegated the responsibility of preparing the EIS to Three Rivers District Ranger, Michael Balboni. My address is Kootenai National Forest, 506 U.S. Hwy 2 West, Libby, MT 59923.

Dated: January 27, 1995.

**Robert L. Schrenk**,  
Forest Supervisor.

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#### **Skyline Ridge EIS, Kootenai National Forest, Lincoln County, Montana**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; intent to prepare environmental impact statement.

**SUMMARY:** The USDA, Forest Service, will prepare an environmental impact statement (EIS) to disclose the environmental effects associated with fire recovery activities in the areas of four 1994 wildfires, including Pulpit, Studebaker, Gunsight, and Seventeenmile fires. The project area is located in the Seventeenmile, O'Brien, and Lower Yaak Physiographic Areas of the Three Rivers Ranger District, Kootenai National Forest, Lincoln County, Montana. Part of the proposed project's activities lie within Inventoried Roadless Areas (IRA's).

The Forest Service proposes to salvage timber, construct and reconstruct roads, reduce fuel concentrations, revegetate with trees, native shrubs, and grass, and obliterate roads. These activities are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). The purposes of the proposed action's activities are to harvest fire killed timber in a timely manner, manage the road systems, reduce future potential for catastrophic fire, sustain timber productivity, improve wildlife and riparian habitat, specifically for threatened, endangered, or sensitive (TES) species, and accelerate watershed recovery. An amendment to the Kootenai Forest Plan is also part of this proposal.

Overall guidance of land management activities on the Kootenai National Forest, including timber harvest and road management, are regulated by the Kootenai National Forest Land and Resource Management Plan (Forest Plan) (September, 1987). In addition we considered more recent scientific thinking on the functioning of forest ecosystems (Ecosystems Management). Based on this analysis we developed a proposed action that does not meet Forest Plan standards. Specifically we proposed timber harvest in management Area 2, roadless recreation.

**DATE:** Written comments and suggestions should be received on or before March 6, 1995.

**ADDRESSES:** Submit written comments and suggestions on the proposed management activities or a request to be placed on the project mailing list to Michael L. Balboni, District Ranger, Three Rivers Ranger District, Kootenai National Forest, 1437 North Hwy 2, Troy, Montana 59935.

**FOR FURTHER INFORMATION CONTACT:** Steve Prieve, EIS Team Leader, Three Rivers Ranger District, Kootenai National Forest, Phone (406) 295-4693.